

**New Hampshire Racing & Charitable Gaming Commission**  
**Commission Meeting**  
**Concord Office**  
**June 2, 2009**  
**09-08**

Present: Timothy J. Connors, Chairman  
Warren W. Leary, Secretary  
Michael J. Gatsas, Member  
Lynn M. Presby, Member  
Anthony B. Urban, Member  
Bernard A. Streeter, Member  
Paul M. Kelley, Director  
Sudhir K. Naik, Deputy Director  
Steve Johnston, Supervisor Gaming Operations  
William Dewhurst, Sr. Auditor  
Linda Glaser, Auditor  
Shawn Graham, Auditor  
Sheri Eldridge, Legal Coordinator  
Linda Darrow, Administrative Secretary

In Attendance: Jeana Tribble, Edward Callahan, Karen Keelan, Dan Callaghan, Marlin Torguson, Rick Newman, Michael McLaughlin, George Roberts, Averill Cate and others.

The Chairman called the meeting to order at 10:00 a.m.

On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to approve and place on file the Commission minutes dated May 12, 2009.

Chairman Connors announced that Ms. Eldridge is leaving the Commission. He thanked her for the patience and diligence in which she performed her duties for the 3 ½ years she worked for the Commission. He further stated that the Commission is losing her with regret. Attorney Dan Callaghan, on behalf of Seabrook and Rockingham tracks, stated he appreciated working with Ms. Eldridge, found her to be professional and courteous and she will be missed.

On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to accept and place on file the racing & charitable gaming statistics for the fiscal period ending May 24, 2009. Statistics continue to trend downward.

The Games of Chance warning letters spreadsheets, financial and non-compliance, were reviewed. Deputy Director Naik provided an update on the non-compliance warnings. Responses had been received for the outstanding warnings except for one. Response for that one is not yet due. Commissioner Gatsas praised the staff for a job well done in keeping these warning spreadsheets current and up-to-date.

The Games of Chance State Revenue spreadsheets were reviewed.

The 2009 Track Rules for Rockingham Park were reviewed. Director Kelley stated he went over the rules with Ms. Childs, the Racing Supervisor and Mr. Edward Callahan of Rockingham Park. Mr. Callahan stated that these rules are not new. Most of them can be found in the USTA Rule Book. The 2009 Track Rules are items that need to be brought to the horsemen's attention, provides the track with confirmation that the horsemen know the rules and avoids the need to reprint the entire 80 page USTA Rule book.

Commissioner Gatsas asked if last year's concerns around testing had been rectified. Director Kelley stated that procedures were written and posted in the test barn and Ms. Childs also covers the procedures during employee orientation. Director Kelley was not sure if the employee's signed off on the training. Mr. Callahan also stated that the whipping rules are now more stringent. On a motion by Commissioner Streeter, seconded by Commissioner Urban and unanimously voted to approve the 2009 Track Rules and asked Director Kelley to provide copies of the updated test barn procedures to the Commission.

Chairman Connors reported that the subcommittee established to research Instant Racing met and reviewed compilation of data from other states regarding same. The subcommittee will meet again for further discussion. Commissioner Presby wanted it noted that the Commission has been researching Instant Racing for many months and gathering facts in order to find a way to enhance racing. Representatives from the AG's office had attended an Instant Racing demonstration held at the Commission offices several months ago.

The correspondence was reviewed:

- Mr. Rick Turmel emailed his concerns about dirty poker chips posing a possible health risk. Mr. Callahan informed the Commission that poker chips are cumbersome to clean as they must be carefully washed by hand to avoid damage. Commercial chip cleaning machines are available on the market for \$40,000. Mr. Callahan stated he will continue to look for other methods to clean the chips. Chairman Connors asked Director Kelley to survey locations that play poker to determine how they clean their chips.
- The Trustee of Hinsdale Greyhound Park was denied the request to abandon the remaining greyhounds at Hinsdale, per a notice from the United State Bankruptcy Court.

Under Old Business:

- Mr. Newman provided a spreadsheet on Instant Racing numbers from Oaklawn Jockey Club. Chairman Connors stated the subcommittee will review and follow-up on the information.

Director Kelley gave a legislative update. HB 2 will soon be put to a vote. Attorney Callaghan added that the two sections of HB 2 that affects the Commission are (1) whether the tracks will be given the option to simulcast only and (2) expanded gaming. HB 2 has over 100 sections and each section will be voted on separately.

Under New Business:

- Attorney Callaghan addressed the Commission. He is looking for clarification on the license application process for 2010: whether exhibits need to be resubmitted if there have been no changes; whether a letter from the applicant stating there have been no changes will suffice; the filing of disclosures, criminal records checks and method of payment; a clarity issue regarding a cited criminal statute. He also suggested the rule-making process begin now – if tracks are allowed to simulcast only, some of the rules will need to be changed before applications can be submitted.
- Attorney Callaghan stated there is a bill in the senate to raise the maximum bet on a chip to \$10.00.
- Attorney Callaghan stated that if gaming is expanded, space for charitable gaming will be required at those locations and the Commission will retain all jurisdiction.

At 10:35 a.m., on a motion by Commissioner Presby, seconded by Commissioner Leary and by a unanimous roll call vote the Commission voted to adjourn the regular meeting, take a five-minute break, then go into non-public session.

Connors	-	Yes
Leary	-	Yes

Gatsas	-	Yes
Urban	-	Yes
Presby	-	Yes
Streeter	-	Yes

At 11:50 p.m., on a motion by Commissioner Streeter seconded by Commissioner Urban and by a unanimous roll call vote the Commission voted to come out of the non-public session and to permanently seal the non-public minutes.

Connors	-	Yes
Leary	-	Yes
Gatsas	-	Yes
Urban	-	Yes
Presby	-	Yes
Streeter	-	Yes

On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to approve the request received on this day by the Lodge at Belmont to reduce the required amount in their restricted account; further, to apply the reduced GOC bond amount of \$25,000, once received from the Commission, directly to the restricted account; and to give Mr. Dewhurst, Sr. Auditor at the Commission, permission to perform a financial audit.

On a motion by Commissioner Gatsas, seconded by Commissioner Urban and unanimously voted to receive from the Franklin Savings Bank by June 4th a document confirming the monies in the restricted account are to be used only for patrons of the Lodge at Belmont.

Commissioner Presby asked that documentation be received from the Lodge at Belmont by June 15<sup>th</sup> confirming contact with the Department of Revenue to resolve any possible tax issues.

The Commission's next meeting is scheduled for Tuesday, June 16<sup>th</sup> at 11:00 a.m. in Concord. At that time, Director Kelley will present a draft schedule of upcoming Commission meetings to be held at off site locations.

The Chairman closed the public meeting at 11:55 p.m.

Respectfully Submitted,

Warren W. Leary  
Secretary